

REMARKS

Claims 25-29 are in the case.

The rejection of Claims 25 and 27-29 under 35 U.S.C. 103 over McKillip in view of Kelly is respectfully traversed. As the Examiner points out, McKillip shows a sheet 24 with a separable labeling portion 16. Adhesive-backed labels 22 (Fig. 3) can be peeled off from either the top (Fig. 1) or the bottom (Fig. 2) of a liner 14. Neither McKillip's form 10 construction nor its labeling portion 16 is suitable, however, for use as a pouch-forming attachment to a shipping container. The Examiner attempts to cure this deficiency by the teaching of Kelly, but Applicant submits that a substitution of the structure shown in Kelly's Figs. 2-4 for McKillip's labeling portion 16 will not produce the results and advantages that Applicant's construction does.

Specifically, if Kelly's main label 30 were used in place of McKillip's labeling portion 16, the resulting combination would indeed, like Applicant, have a base sheet with a separable labeling portion that can be adhered to a shipping container. In such a combination, the main label 30 of Kelly would become the label portion of the combination, and Kelly's liner 58 would become the release layer of the combination. In the combination, the liner 58 cannot be coextensive with the adhesive layer, absent a further feature, because it would prevent the labeling portion from sticking to the carton. This further, inventive, feature is making the release layer of the combination cover the entire labeling area and then making the release layer in the frame area between the pouch area 58 of Kelly and the perimeter of the labeling area (i.e. 30 of Kelly) selectively separable from the adhesive-backed sheet and from the rest of the release layer (clause f) of Claim 25).

The problem caused by the absence, in the Examiner's McKillip-Kelly combination, of Applicant's frame portion of the release layer (which survives removal of the label and is eventually removed from the adhesive-backed sheet) is that the labeling portion of the form cannot be easily manipulated to insert a packing slip between Kelly's liner 58 and the carton 20. The reason for this is that Kelly's main label 30

Application No. 10/691,263

Tucker

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immediately adheres all around when placed against the carton; in other words, in the Kelly-McKillip combination, it is not reasonably possible to adhere the labeling portion of the form on e.g. three sides only, subsequently insert the packing slip into the pouch thus created, and then pull away the remainder of the release layer frame and close the fourth side.

Thus, in order to meet Applicant's claimed structure (Claim 25, clauses e) and f)) and obtain its result and advantages, Kelly would have to have a separable liner portion outside his portion 58, which he does not.

Regarding the rejection of Claim 26 under 35 U.S.C. 103 over McKillip in view of Kelly and Smith, Smith's reverse printing is done in the entirely different environment of a decal-like label, and is not concerned with the environment described in parent claim 25.

Reconsideration of the rejection of Claims 25-29, and allowance of the case, is respectfully solicited.

Respectfully submitted,



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